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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Youichi AOYAMA, et al.**

Application Division

Serial Number: **10/812,415**

Confirmation No: 1262

Filed: **March 30, 2004**

Group Art Unit: 3681

For: **SUPPORTING UNIT OF POWER TRAIN FOR FORKLIFT TRUCK**

2nd REQUEST FOR CORRECTED FILING RECEIPT

Mail Stop: Missing Parts

Customer No.:38834

Commissioner for Patents

Atty. Docket No. 042281

P.O. Box 1450

Alexandria, VA 22313-1450

November 19, 2004

Sir:

Please supply the undersigned attorney with a corrected filing receipt for the above-identified application. The undersigned also respectfully requests that the Patent and Trademark Office records be amended to reflect the correction.

In reviewing the Official Filing Receipt, we noted an error in the **Power of Attorney**. The **Power of Attorney** should read **—The patent practitioners associated with Customer Number 38834—**. A copy of the **Patent Application Information Retrieval**, the **Application Transmittal**, and the **Declaration** are enclosed which indicates the correct information. We are enclosing a copy of the filing receipt with the corrections highlighted.

In the event that any fees are required in connection with this paper, please charge our Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

Sadao Kinashi

Attorney for Applicants

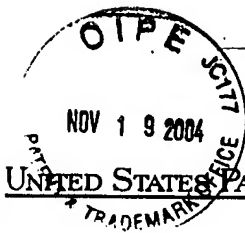
Reg. No. 48,075

Tel: (202) 822-1100

Fax: (202) 822-1111

SK/rf

Enclosures: Official Filing Receipt; Patent Application Information Retrieval; Application Transmittal; Declaration



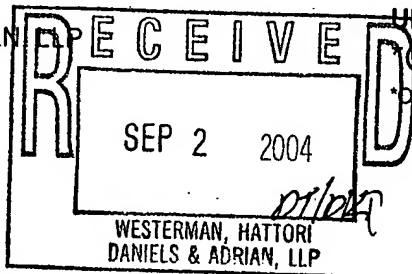
UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/812,415	03/30/2004	3681	1320	042281	7	5	1

38834

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP
1250 CONNECTICUT AVENUE, NW
SUITE 700
WASHINGTON, DC 20036



CONFIRMATION NO. 1262

UPDATED FILING RECEIPT
OC000000013678497
OC000000013678497

Date Mailed: 08/31/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Youichi Aoyama, Tochigi-ken, JAPAN;
Shigeo Shinohara, Yuuki-shi, JAPAN;

Power of Attorney: The patent practitioners associated with Customer Number 38834.

THOMAS J. MACPEAK-19292	Michael Lau-39479
William Westerman-29988	John Kong-40054
Scott Daniels-32562	Kenneth Salen-43077
Ken-ichi Hattori-32864	Thomas Brown-44450
Stephen Adrian-32878	Sadao Kinashi-48075

Domestic Priority data as claimed by applicant

Foreign Applications

JAPAN 2003-095206 03/31/2003
JAPAN 2004-088128 03/24/2004

If Required, Foreign Filing License Granted: 06/10/2004

The number of your priority application, to be used for filing abroad under the Paris Convention is,
US10/812,415

Projected Publication Date: 12/09/2004

Non-Publication Request: No

Early Publication Request: No

Title

~~Support system for a forklift power train~~

Supporting unit of power train for forklift truck

Preliminary Class

477

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

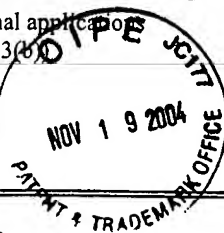
NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

UTILITY PATENT
APPLICATION TRANSMITTAL

(Only for new nonprovisional applications
under 37 CFR 1.53(b))

Check Box, if applicable [] Duplicate



Attorney Docket No.

042281

Total Pages

First Named Inventor or Application Identifier

Youichi AOYAMA and Shigeo SHINOHARA

Express Mail Label No.

APPLICATION ELEMENTS FOR:

**SUPPORTING UNIT OF POWER TRAIN FOR
FORKLIFT TRUCK**

ADDRESS TO:

Commissioner for Patents
MAIL STOP PATENT APPLICATION
P. O. Box 1450
Alexandria, VA 22313-1450

1. [XX] Fee Transmittal Form (Incorporated within this form) **(The filing fee is deferred)**

2. [XX] Specification Total Pages [19] (IN JAPANESE)

3. [XX] Drawing(s) (35 USC 113) Total Sheets [7]

4. [] Oath or Declaration Total Pages []

NOT attached; deferred under P.L. 97-247

a. [] Newly executed (original)

b. [] Copy from prior application (37 CFR 1.63(d)
(for continuation/divisional with Box 17 completed).

i. [] Deletion of Inventor(s)

Signed statement attached deleting inventor(s) named in prior application,
see 37 CFR 1.63(d)(2) and 1.33(b).

5. [] Incorporation by reference (useable if box 4b is checked)

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under
Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby
incorporated by reference therein.

6. [] Microfiche Computer Program (Appendix)

7. [] Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)

a. [] Computer Readable Copy

b. [] Paper Copy (identical to computer copy)

c. [] Statement Verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

8. [] Assignment Papers (cover sheet and document(s)) to: **Komatsu Forklift Co., Ltd., Tokyo, Japan**
Please publish the assignee data with the application.

9. [] 37 CFR 3.73(b) Statement (when there is an assignee) [] Power of Attorney

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications
under 37 CFR 1.53(b))

Attorney Docket No.

042281

First Named Inventor or Application Identifier

Youichi AOYAMA and Shigeo SHINOHARA

PAGE 2 OF 3

10. ☐ English translation Document (if applicable)

11. ☐ Information Disclosure Statement ☐ Copies of IDS Citations

12. ☐ Preliminary Amendment

13. ☒ Return Receipt Postcard (MPEP 503)

14. ☐ Small Entity Status is claimed.

15. ☒ Claim for Convention Priority ☐ Certified copy of Priority Document is enclosed.

a. Priority of Japanese Application No. 2003-095206 filed on March 31, 2003 is claimed under 35 USC 119; and

b. Priority of Japanese Application No. 2004-088128 filed on March 24, 2004 is claimed under 35 USC 119.

16. ☐ Other

17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

☐ Continuation ☐ Division ☐ Continuation-in-part (CIP) of prior application no. ____/

FEE TRANSMITTAL	Number Filed	Number Extra	Rate	.. Basic Fee
The filing fee is calculated below				\$770.00
Total Claims	6 - 20		x \$18.00	
Independent Claims	1 - 3		x \$86.00	
Multiple Dependent Claims			\$290.00	290.00
Total Basic Filing Fee				1060.00
Reduction by 1/2 for small entity				
Fee for recording Assignment			\$40.00	40.00
TOTAL				\$1100.00

XX NO FEE ENCLOSED. THE FILING FEE IS DEFERRED.

**UTILITY PATENT
APPLICATION TRANSMITTAL**

(Only for new nonprovisional applications
under 37 CFR 1.53(b))

Attorney Docket No.

042281

First Named Inventor or Application Identifier

Youichi AOYAMA and Shigeo SHINOHARA

PAGE 3 OF 3

☐ A check in the amount of _____ is enclosed to cover the filing fee of _____ and the assignment recordation fee of _____.

☐ Please charge our Deposit Account No. **50-2866** in the total amount of _____ to cover the filing fee and the _____ assignment recordation fee. A duplicate of this sheet is attached.

☐ The Commissioner is hereby authorized to charge payment for any additional filing fees required under 37 CFR 1.16 or credit any overpayment to Deposit Account no. 50-2866

18. CORRESPONDENCE ADDRESS:

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP
Customer No. 38834

SUBMITTED BY

Typed or Printed Name **Sadao Kinashi**

Reg. No. **48,075**

Signature



Date:

March 30, 2004

SK/yap

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP
1250 Connecticut Avenue, N.W., Suite 700
Washington, D.C. 20036
Tel: (202) 822-1100
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DECLARATION FOR U.S. PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

Supporting unit of power train for forklift truck

the specification of which is attached hereto unless the following is checked

☐ was filed on _____ as United States Application Number or PCT International Application Number _____ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 (a) (d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application for which priority is claimed.

(List prior foreign applications. See note A)

2003-095206

Japan

31 March, 2003

Priority Claimed

☒ Yes ☐ No

(Number)

(Country)

(Day/Month/Year Filed)

2004-088128

Japan

24 March, 2004

☒ Yes ☐ No

(Number)

(Country)

(Day/Month/Year Filed)

(Number)

(Country)

(Day/Month/Year Filed)

☐ Yes ☐ No

(Number)

(Country)

(Day/Month/Year Filed)

☐ Yes ☐ No

(See note B) ☐ See attached list for additional prior foreign applications

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

(List prior U.S. Applications)

Status

(Application Serial No.)

(Filing Date)

☐ Patented ☐ Pending ☐ Abandoned

(Application Serial No.)

(Filing Date)

☐ Patented ☐ Pending ☐ Abandoned

(Application Serial No.)

(Filing Date)

☐ Patented ☐ Pending ☐ Abandoned

(Application Serial No.)

(Filing Date)

☐ Patented ☐ Pending ☐ Abandoned

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Westerman, Hattori, Daniels & Adrian, LLP, a firm composed of William F. Westerman (Reg. No. 29,988); Ken-Ichi Hattori (Reg. No. 32,861); Scott M. Daniels (Reg. No. 32,562); Stephen G. Adrian (Reg. No. 32,878); Thomas J. Macpeak (Reg. No. 19,292); John P. Kong (Reg. No. 40,054); Sadao Kinashi (Reg. No. 48,075); Nicolas E. Seckel (Reg. No. 44,373); Edward F. Kenehan, Jr. (Reg. No. 28,962); Thomas E. Brown (Reg. No. 44,450); Joseph L. Felber (Reg. No. 48,109); Kenneth H. Salen (Reg. No. 43,077); and Michael N. Lau (Reg. No. 39,479)

Please direct all communications to the following address:

Westerman, Hattori, Daniels & Adrian, LLP, P.O. Box 33275, Washington, D.C. 20033-3275

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18 of the United States Code, § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

(See note C) Full name of sole or first inventor (given name, family name) Youichi Aoyama
Inventor's signature *Youichi Aoyama* Date April, 19, 2004
Residence Kokubunji-machi, Shiimotsuga-gun, Tochigi-ken, Japan Citizenship Japanese
Post Office Address c/o Planning & Administration Department R & D Division, Komatsu Forklift Co., Ltd, 110 Yokokura-Shinden, Oyama-shi Tochigi-ken 323-8567, Japan

Full name of second inventor (given name, family name) Shigeo Shinohara
Inventor's signature *Shigeo Shinohara* Date April, 19, 2004
Residence Yuuki-shi, Ibaraki-ken, Japan Citizenship Japanese
Post Office Address Same as the post office address of the first Inventor

Full name of third inventor (given name, family name) _____
Inventor's signature _____ Date _____
Residence _____ Citizenship _____
Post Office Address _____

Full name of fourth inventor (given name, family name) _____
Inventor's signature _____ Date _____
Residence _____ Citizenship _____
Post Office Address _____

Full name of fifth inventor (given name, family name) _____
Inventor's signature _____ Date _____
Residence _____ Citizenship _____
Post Office Address _____

Full name of sixth inventor (given name, family name) _____
Inventor's signature _____ Date _____
Residence _____ Citizenship _____
Post Office Address _____

NOTES

A. Please list all foreign applications relating to the invention and check block "yes" or "no".